



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:

Confirmation Number: 1370

SZUM et al.

Group Art Unit: Unassigned

Application No.: 10/662,516

Examiner: Unassigned

Filed: September 16, 2003

Attorney Docket: 102456-40305809

Title: RADIATION-CURABLE OPTICAL GLASS FIBER COATING COMPOSITIONS,
COATED OPTICAL GLASS FIBERS AND OPTICAL GLASS FIBER ASSEMBLIES

December 20, 2004

MAIL STOP Missing Parts

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

**REPLY TO NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL
APPLICATION**

Sir:

In reply to the Notice of Omitted Items issued October 19, 2004, Applicants hereby elect option III on the Notice. Applicants accept the application as deposited in the USPTO and request that the filing date remain September 16, 2003.

Applicants believe that no additional amendment is necessary to correct incomplete sentences and other problems with the application in view of the preliminary amendment filed with the original submission of this application.

The Commissioner **IS NOT** hereby authorized to charge counsel's Deposit Account 503-121 the statutory fee of \$130.00 under 37 C.F.R. 1.17(h) for the submission of a Petition. The Commissioner for Patents **IS** authorized to charge any additional fees necessary besides the

Reply to Notice of Omitted Item(s) in A Nonprovisional Application

Filed December 20, 2004

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Petition fee, or to credit any over payments to the above-referenced Deposit Account. Two copies of this page are submitted for this purpose.

Respectfully submitted,
MAYER, BROWN, ROWE & MAW LLP

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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/662,516 | 09/16/2003 | David M. Szum | 021028-0305809 |

00909
PILLSBURY WINTHROP, LLP
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MCLEAN, VA 22102

CONFIRMATION NO. 1370

FORMALITIES LETTER



OC000000014128349

Date Mailed: 10/19/2004

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Page(s) 130 of the specification (description and claims).

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

Applicant is advised that generally the filing fee required for an application is the filing fee in effect on the filing date accorded the application and that payment of the requisite basic filing fee on a date later than the filing date of the application requires payment of a surcharge (37 CFR 1.16(e)). To avoid processing delays and payment of a surcharge, applicant should submit any balance due for the requisite filing fee based on the later filing date being requested when submitting the omitted item(s) and the petition (and petition fee) requesting the later filing date.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the

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references in the specification to the drawing figures to correspond with any relabeled drawing figures, is required. A copy of the drawing figures showing the proposed changes in red ink should accompany with any drawing changes. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

Replies should be mailed to: Mail Stop Missing Parts
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P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE